



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Lynn Doucette-Stamm et al.

Confirmation No. 3315

Application No.: 10/724,972

Group Art Unit: 1645

Filed: December 1, 2003

Examiner: Padmavathi Baskar, Ph.D.

Title: NUCLEIC ACID AND AMINO ACID SEQUENCES RELATING TO
STAPHYLOCOCCUS EPIDERmidis FOR DIAGNOSTICS AND THERAPEUTICS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT WITH TRAVERSE
AND
AMENDMENT

Sir:

In response to the Restriction Requirement mailed June 16, 2005, Applicants submit the following response.

Applicants attach copies of the recorded Assignment, New Power of Attorney, Change of Correspondence Address, and stamped postcard dated April 12, 2005, for the above-listed patent to provide evidence that all future communications were to have been directed to the address associated with Customer Number 25,291. Yet, the Office mailed the June 16, 2005 Restriction Requirement to the former owner, Oscient Pharmaceuticals Corporation. Oscient Pharmaceuticals Corporation did not forward the Restriction Requirement to the new owner until July 27, 2005. Applicants are responding within one month of having received the Restriction Requirement from Oscient Pharmaceuticals. Accordingly, Applicants submit that no extension of time is warranted, given the described chain of events and that the Restriction Requirement was directed at the wrong party by the Office, even though the Office was on notice of the change.